

Application No.: 10/644,426

Docket No.: 60680-1638

6. (Original) A mounting assembly according to claim 1, wherein said upper base includes a lip, said lip abuts said second isolation layer.

7. (Original) A mounting assembly according to claim 1, wherein said isolator and said first isolation layer are constructed as one integral piece.

8. (Original) A mounting assembly according to claim 1, wherein said first and second isolation layers and said isolator are constructed of a wire mesh material.

9 - 10. (Canceled)

11. (Previously Presented) A mounting assembly according to claim 1, wherein said second tubular member has a smaller diameter than said first tubular member, such that said second tubular member slidingly engages into said first tubular member.

12 - 13. (Canceled)

14. (Previously Presented) An assembly for mounting an object to a mounting surface comprising:

a load absorbing member defining a central opening, said member having an inner surface, an outer surface, and an upper base including a lip and an integral tubular member;

first and second isolation layers disposed in a region defined by said outer surface of said load absorbing member, each of said isolation layers including inner surfaces that substantially circumscribe said outer surface of said member; and

an isolator disposed in a region defined by said inner surface of said second isolation layer and said outer surface of said member, said isolator having an outer surface spaced apart from the inner surface of said second isolation layer to form an annular gap for receiving a tubular portion of the mounting surface, wherein said integral tubular member extends through at least a portion of said isolator.

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15. (Previously Presented) An assembly as in claim 14, wherein said load absorbing member includes a lower base.

16. (Previously Presented) An assembly as in claim 15, wherein said lower base includes a first tubular member, and wherein said integral tubular member slidably engages said first tubular member, defining said central opening.

17. (Previously Presented) An assembly as in claim 16, wherein said integral tubular member includes a dimple for engaging a fastener.

18. (Original) A mounting assembly according to claim 14, wherein said isolator and said first isolation layer are constructed as an integral piece.

19. (Original) An assembly as in claim 14, wherein said first and second isolation layers and said isolator are made from a wire mesh material.

20. (Previously Presented) A mounting assembly comprising:
a lower base including a first tubular member;
an upper base including a second tubular member slidably engaging said first tubular member, said first tubular member having a dimple for engaging a fastener;
a first axial isolation layer disposed adjacent said lower base;
a second axial isolation layer adjacent said upper base; and
an isolator adjacent said upper base and in communication with said first isolation layer, said isolator having an outer surface spaced apart from an inner surface of said second axial isolation layer to form an annular gap for receiving a tubular portion of a mounting surface.

21. (Previously Presented) A mounting assembly according to claim 20, wherein said isolator and said first axial isolation layer are formed as one integral piece.

22. (Previously Presented) A mounting assembly according to claim 20, wherein said first axial isolation layer, said second axial isolation layer, and said isolator each have an aperture, said apertures substantially circumscribes said first tubular member.

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ever issue." *In re Rouffet*, 47 USPQ2d 1453 at 1457 (Fed Cir. 1998). "Rejecting patents solely by finding prior art corollaries for the claimed elements would permit an examiner to use the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention. Such an approach would be 'an illogical and inappropriate process by which to determine patentability'." *Id.* quoting *Sensonics, Inc. v. Aerersonic Corp.*, 81 F.3d 1566, 1570, 38 USPQ2d 1551, 1554 (Fed. Cir. 1996).

The Examiner has cited multiple motivations for combining Stephenson with the first and second tubular member construction of Peterson. These advantages are discussed, in turn, below. Applicant respectfully submits that these purported advantages would not motivate one skilled in the art to combine the references for at least the reasons below.

Fastener Screwed from Both Sides

The Examiner states that one skilled in the art would be motivated, with Stephenson in hand, to seek out Peterson to find a mounting that does not require a fastener that must be screwed from each side (See Office Action, paragraph 6; Stephenson, FIG. 3).

Apparently, the Examiner is under the assumption that the first and second tubular members of Peterson provide a mount where the fastener not required to be manipulated from both ends when tightened. "When the incentive to combine the teachings of the references is not readily apparent, it is the duty of the examiner to explain why combination of the reference teachings is proper." *Ex parte Skinner*, 2 USPQ2d 1788, 1790 (Bd. Pat. App. & Int., 1986). The Examiner is respectfully requested to explain in greater detail how the fastener of Peterson can be tightened by only turning head 52 of fastener 20. Additionally, the Examiner is specifically requested to explain how this 'fastening from one side' is different from the fastener provided in Stephenson.

As detailed in column 5, lines 1-9 of Peterson, the fastener 20 is inserted through the first and second tubular members and then the fastener 20 is engaged with nut 51. Therefore, Peterson appears to provide a fastener that must be tightened with opposing forces exerted through nut 51 and head 52 in order to tighten fastener 20. Interestingly, this is just the type of fastener that Stephenson mentions in column 1, lines 38-50 when Stephenson discusses fasteners that are associated with alignment problems.